

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jorg Kleiber

Confirmation No.: 1340

Application No.: 09/756,743

Group Art Unit: 1651

Filed: January 10, 2001

Examiner: Naff, David M.

For: MAGNETIC PIGMENT

Atty. Dkt. No.: 1803-337

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, Charles M. Doyle, represents that he is an attorney of record in the above identified application by operation of appointment as an associate attorney of record under 37 CFR 1.34(b). An Associate Power of Attorney is filed herewith.

The above identified application is a continuation of Application No. 08/952,969, filed March 11, 1998, now issued as U.S. Patent No. 6,255,477, which is a 371 of PCT/EP96/02459, filed June 6, 1996.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of U.S. Patent No. 6,562,568 which issued on May 13, 2003 and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,562,568.

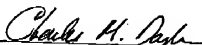
Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,562,568 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of Roche Diagnostics GmbH.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 9th day of August, 2004.



Name: Charles M. Doyle

Registration Number: 39,175

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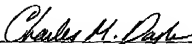
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RMS Patent Department

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Signed this 9th day of August, 2004.


Name: Charles M. Boyle
Registration Number: 39,175